

ORIGINAL

BEFORE THE
Federal Communications Commission
WASHINGTON, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Use of N11 Codes and Other Abbreviated Dialing) CC Docket No. 92-105
Arrangements)
) NSD File No. L-98-139
)
)

To: Chief, Common Carrier Bureau

COMMENTS OF PRIMECO PERSONAL COMMUNICATIONS, L.P.

PrimeCo Personal Communications, L.P. ("PrimeCo"),¹ hereby submits comments in response to the Common Carrier Bureau's Public Notice of December 14, 1998, seeking comment on the North American Numbering Council ("NANC") recommendation regarding abbreviated dialing arrangements.² PrimeCo participated on NANC's Abbreviated Dialing Ad Hoc Working Group ("Working Group") and, by this filing, expresses its general support for the Working Group's recommendations, as reported to the NANC on September 23, 1998.³ PrimeCo provides the following

¹ PrimeCo is the broadband A/B Block PCS licensee or is the general partner/majority owner in the licensee in a number of MTAs.

² See Public Notice, Common Carrier Bureau Seeks Comment on North American Numbering Council Recommendation Concerning Abbreviated Dialing Arrangements, CC Docket No. 92-105, NSD File No. L-98-139, DA 98-2541 (Com. Car. Bur. rel. December 14, 1998) ("Public Notice").

³ See Report and Recommendations of the Abbreviated Dialing Ad Hoc Working Group to the North American Numbering Council (NANC) regarding Abbreviated Dialing Arrangements, September 23, 1998 ("Report").

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additional brief comment on issues relating to the potential formats for industry deployment, particularly in regard to the use of star (*) and pound (#) codes.

I. A “LEADING #” FORMAT SHOULD BE DEPLOYED ON A LOCALLY-ADMINISTERED AND MARKET-DRIVEN BASIS

PrimeCo supports the Report’s recommendation that any abbreviated dialing arrangement, to the extent possible, not conflict with any intranetwork use of abbreviated dialing arrangements already in place. *See* Report §§ 1.0, 6.0. PrimeCo acknowledges that creation of a new *national or internetwork* abbreviated dialing format that uses a leading “#” may offer many more types of abbreviated dialing opportunities. The Commission must recognize, however, that carriers — with the Commission’s blessing — have *already* entered into a variety of abbreviated dialing arrangements, and that such a plan would thus conflict with the thousands of existing leading “#” codes already implemented by the wireless industry.⁴ Disruption of these codes would unnecessarily disrupt carriers’ business relationships with the entities that participate in abbreviated dialing arrangements.

Rather, there are alternative solutions that will not disrupt these relationships or impose unnecessary “reengineering” costs on carriers. PrimeCo concurs with the Report’s recommendation that any resolution of the “leading #” conflict is best resolved by using a format of at least five digits. *See* Report §§ 5.3, 8.2. Wireless carriers, including PrimeCo, use a considerable number of dialing schemes containing

⁴ *See Use of N11 Codes and Other Abbreviated Dialing Arrangements, First Report and order and Further Notice of Proposed Rulemaking*, 12 FCC Rcd. 5572, 5608-09 (1997) (“*First R&O/FNPRM*”) (“reiterat[ing] that no federal policy bars the use of [abbreviated dialing] arrangements for intrastate service offerings”).

four digits or less, usually in the following formats: #XX, #XXX, or #XXXX. Formats of longer lengths are known to be in service and, indeed, any seven- or ten-digit telephone number can be reached on an abbreviated basis of variable length. Furthermore, as the report notes, information service providers can already choose from alternative arrangements, including “900” NPA, “976 NXX,” “976-like,” and 555 numbers. *See* Report § 5.6.

For these reasons, there is no need for any additional nationally-administered abbreviated dialing arrangements at this time. *See* Report § 12.0. Subject to the restrictions discussed herein, intra-network abbreviated dialing codes that are locally-administered and market-based are appropriate. The solutions discussed therein, and the industry-based guidelines currently in place, will meet the Commission’s admonition that industry “identify dialing arrangements that would be practical, both economically and technically.”⁵

II. STAR (*) CODES SHOULD BE USED ONLY AS VERTICAL SERVICE CODES

PrimeCo supports the Report’s recommendation that the (*) continue to be used to signify the initiation of features presently available in vertical service codes (“VSCs”). *See* Report § 7.2. Its use — in any form — as part of an abbreviated dialing format is inappropriate. In this regard, the wireless industry has long supported the

⁵ *First R&O/FNPRM* at 5608. While MCI WorldCom may have wished for a “national abbreviated dialing arrangement” via a Commission-imposed “clean sweep” of existing arrangements, such a proposal would clearly be economically and technically impractical. *See* MCI WorldCom Minority Opinion. Thus, the Commission in no way mandated that NANC examine such a proposal, much less impose such a “solution” on industry.

Industry Numbering Committee's ("INC") Issue #021 recommending the use of (*) only for VSC and the use of a leading pound (#) be used for wireless intra-network abbreviated dialing.⁶

Notwithstanding these guidelines, the use of (*) continues to be imposed on wireless carriers. For example, PrimeCo and other wireless carriers have been engaged in active efforts in Illinois to attempt to convince state government officials to abandon their proposal to use *SP and instead use #SP for reaching the Illinois State Police. Nevertheless, and as the Commission is undoubtedly aware, a number of wireless carriers, including PrimeCo, have had (*) codes effectively imposed on them in several states due to liability and competitive concerns.⁷ Not offering *SP access in Illinois would disadvantage our customers if every other wireless carrier opts to use the arrangement. Furthermore, should PrimeCo be the only carrier not to participate in such arrangements, then the exposure to liability increases in emergency situations. While a nationwide preemption of existing abbreviated dialing arrangements is not appropriate, this proverbial "Catch-22" is undesirable as well. The Commission should thus consider

⁶ See Industry Numbering Committee Issue #021, as resolved March 8, 1996; CTIA Memorandum ST9607, November 18, 1996; *see also* Industry Carriers Compatibility Forum, Vertical Service Code Assignment Guidelines, Industry Numbering Committee, INC-96-0802-015, as revised Aug. 2, 1996.

⁷ *See, e.g.,* State Patrol Gets 'Aggressive' With Drivers, WIRELESS WEEK, June 29, 1998, at 14 (discussing use of "**CSP" in Colorado). MCI WorldCom in citing to this article seems to suggest that wireless carriers gladly enter into such arrangements. *See* MCI WorldCom Minority Opinion. In fact, while wireless carriers regularly seek to ensure that their abbreviated dialing arrangements comply with INC Issue #021 and to persuade state governments to do so as well, the wireless industry does not always prevail in its efforts before administrative agencies. In addition, MCI WorldCom's assertion that wireless carriers exercised disproportionate influence in the Working Group's deliberations is belied by the relatively few references to "wireless-only" issues in the Report.

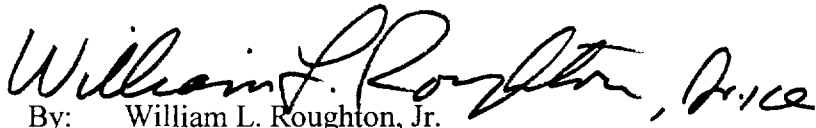
exercising its plenary numbering authority to ensure consistency with the Working Group's proposed guidelines on a going forward basis.⁸

III. CONCLUSION

For the foregoing reasons, PrimeCo supports the recommendations set forth in the Working Group's Report.

Respectfully submitted,

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⁸ See 47 U.S.C. § 251(e)(1), *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Second Report and Order and Memorandum Opinion and Order*, 11 FCC Rcd. 19392, 19404-405 (1996).